

REMARKS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3, 5-8, 10, 11 and 13 are pending. Claims 1, 6 and 11, which are independent, are amended to avoid an unintentional interpretation that apparently has been made in the Office Action under reply. Claim 13 is amended to be consistent with claim 11.

It is respectfully submitted that applicant's claim 1, as presented herein, is patentably distinct over the cumulative teachings of Michener, Kim, Na and Knee.

The following recitations of claim 1 find no correspondence in Michener, Kim, Na or Knee, taken alone or in combination:

storage means for storing a user's information representing authorization of the user to access the digital satellite broadcasting signal;

transmitting means for transmitting the user information from the storage means to a broadcast station;

descrambling means for descrambling said scrambled first broadcast signal or said scrambled second broadcast signal extracted by said extracting means if said user information represents authorization to access said digital satellite broadcasting signal;

conversion means for converting the data structure of the descrambled second broadcast signal by rearranging said timestamp and said packet length of said transport stream of the second broadcast signal when it is determined by the judging means that the digital satellite broadcast signal is in said second format to generate a third broadcast signal ...

In the stated rejection of the claims, the Examiner recognizes that Michener does not describe the aforementioned storage means or the transmitting means (see page 4, element (c) of the Office Action). However, the Examiner relies upon Knee for a teaching of this feature. It is respectfully submitted, Knee does not describe the descrambling of the first broadcast signal (e.g. an SD signal) or the second broadcast signal (e.g. an HD signal) if user authorization is stored at the receiving apparatus and is transmitted to the broadcast station. Knee simply transmits a program to the user if the user has paid for that program. If there is no payment, there is no transmission. Knee is silent with respect to descrambling a digital satellite broadcast signal only if the user is authorized to do so.

In addition, contrary to the Examiner's interpretation of Michener and Na at page 7 of the Office Action under reply, Michener does not "rearrange" the timestamp and the packet length of the second broadcast signal (e.g. the HD signal) when it is determined that the received digital satellite broadcast signal is in the second format. While Na inserts a timestamp (col 7, lines 7-8), this is not the same as **rearranging** an already present timestamp (inserting is quite different from rearranging). Moreover, Na inserts a timestamp in every received signal and is not limited to "rearranging said timestamp and said packet length of said transport stream of the second broadcast signal" when it is determined that the received satellite broadcast signal is in the second format.

Still further, the present invention outputs, as the digital satellite output signal, the analog signal when the received signal is in the first format, and the converted digital signal when the received signal is in the second format. At page 3 of the Office Action under reply, the Examiner interprets Michener as disclosing this feature. But, Michener does not convert the data structure of the second broadcast signal. Rather, Michener re-assemble MPEG-2 PES streams in

the very same way, whether those MPEG-2 PES streams are HDTV or SDTV streams (see col. 8, lines 19-36 of Michener). While Michener multiplies HDTV stream timestamps by the factor 300, this is not a conversion -- this is done for the purpose of clock synchronization (see col. 7, lines 31-36 of Michener).

It is appreciated the Examiner relies upon Michener in combination with Kim for allegedly describing judging the format of a received digital satellite signal and, if in a first format, an analog signal is outputted as the output of the digital satellite signal, whereas if in a second format, a third broadcast signal is outputted from the digital interface as the output of the digital satellite signal. However, it is respectfully submitted, the combination of Michener and Kim fails to suggest this feature. Michener outputs standard serial digital interface signals to the IEEE 1394 interface (Fig. 5); and these signals are substantially the same as Kim's MPEG signals. That is, neither Michener nor Kim outputs a third broadcast signal of converted data structure.

Accordingly, it is respectfully submitted that claim 1 is unobvious over the combination of Michener, Kim, Na and Knee for those reasons discussed above. The withdrawal of the rejection of this claim as being obvious is respectfully solicited.

Claims 6 and 11 are similar to claim 1 in that these independent claims include the same limitations found in claim 1 that have been argued above. Therefore, claims 6 and 11 are patentably distinct over the combination of Michener, Kim, Na and Knee for those reasons discussed above.

Claims 2, 3 and 5 depend from claim 1; claims 7, 8 and 10 depend from claim 6; and claim 13 depends from claim 11. Since these dependent claims include all of the limitations recited by the independent claim from which the respective dependent claim depends, it follows

that the dependent claims are patentably distinct over the combination of Michener, Kim, Na and Knee for the same reasons discussed above.

Therefore, in view of the foregoing, the withdrawal of the rejection of claims 1-3, 5-8, 10, 11 and 13 and the allowance of this application are respectfully solicited.

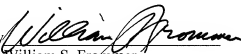
Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are in condition for allowance and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
William S. Frommer
Reg. No. 25,506
(212) 588-0800